

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

In Re: § **BANKRUPTCY NO: 16-70482-M-13**
DEAN A. GUTIERREZ, SR. §
§
§ **Chapter 13**

MOTION FOR EXTENSION OF TIME IN WHICH TO FILE
CHAPTER 13 PLAN AND FORM 122C: DISPOSABLE INCOME (CH. 13), CURRENT
MONTHLY INCOME AND CALCULATION OF COMMITMENT PERIOD AND DISPOSABLE
INCOME, IN CHAPTER 13 CASE

RULE 9013 NOTICE

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING, UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.

TO THE HONORABLE JUDGE OF THIS COURT:

COMES NOW, DEAN A. GUTIERREZ, Debtor, by and through his attorney of record and asks the Court to extend time in which to file Chapter 13 Plan and Form 122c: Disposable Income (Ch. 13), Current Monthly Income And Calculation Of Commitment Period And Disposable Income, In Chapter 13 Case and would explain to the Court the following:

1. Debtor filed a Chapter 13 case on November 16, 2016.
2. Since the filing of Debtor's petition, the Debtor has filed his petition, his Schedules, Statement of Financial Affairs, 2014 and 2015 Income Tax Returns, and list of creditors.
3. Debtor requires an extension of time to file his Chapter 13 Plan and Form 122c: Disposable Income (Ch. 13), Current Monthly Income And Calculation Of Commitment Period And

Disposable Income, In Chapter 13 Case for the following reason:

The Debtor's business financial affairs have consumed an enormous amount of counsel's time to assess and prepare the currently filed schedules. The completion of the Plan and Form 122C should be completed within 7 days. Out of an abundance of caution and because 1 unsecured creditor needs to be repaid as per a prepetition contract, the Debtor seeks an additional (10) calendar days to file his Chapter 13 Plan and Form 122c: Disposable Income (Ch. 13), Current Monthly Income And Calculation Of Commitment Period And Disposable Income, In Chapter 13 Case.

4. For such reason, Debtor respectfully request that the Court allow him until December 10, 2016 to file his Chapter 13 Plan and Form 122c: Disposable Income (Ch. 13), Current Monthly Income And Calculation Of Commitment Period And Disposable Income, In Chapter 13 Case.

Respectfully submitted,

The Law Office of Antonio Martinez, P.C.

By:/s/Antonio Martinez
Antonio Martinez, Jr.
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CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2016, I forwarded a copy of the foregoing by electronic mailing, unless otherwise requested by other means, to the following:

Trustee:

Cindy Boudloche, Chapter 13 Trustee
555 N. Carancahua, Suite 600
Corpus Christi, Texas 78401

U.S. Trustee
606 N. Carancahua, Suite 1107
Corpus Christi, TX 78401

Debtor(s):

Dean A. Gutierrez, Sr. .
2610 Rosalee Dr.
Brownsville, Texas 78521

/s/Antonio Martinez, Jr.
Antonio Martinez, Jr.